

BILL NO. S-70-10-68

SPECIAL ORDINANCE NO. S-591-70

AN ORDINANCE approving Sewer Agreement with  
NIEMEYER CORP. for construction of a Sanitary  
Sewer in Trier Ridge Park, Section III.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:

SECTION 1. The Sewer Agreement, approved September 22,  
1970, between NIEMEYER CORP., as Developer, and the CITY OF FORT  
WAYNE, INDIANA, by and through its Mayor and Board of Public  
Works, as City, for the construction of a Sanitary Sewer in  
Trier Ridge Park, Section III, as follows:

SANITARY SEWER LATERAL NO. 2: An 8-inch sanitary  
sewer commencing at the northeast corner of Lot No.  
160 of Trier Ridge Park, Section III, Fort Wayne,  
Allen County, Indiana, running in a straight west-  
erly direction along the south side of Debeney Drive  
to a point 50 feet to the west of the northeast  
corner of Lot No. 134 of said Trier Ridge Park,  
Section III, said sewer being approximately 395 feet  
in length, servicing Lot No. 159 and further ser-  
vicing Lot Nos. 128, 219, 130, 131, 132, 133 only if  
said lots are used as individual residential lots.

SANITARY SEWER LATERAL NO. 2: An 8-inch sanitary  
sewer commencing at the northwest corner of Lot 142  
and the northeast corner of Lot 134 said point being  
at the location of the easement next to said lots in  
Trier Ridge Park, Section III, Fort Wayne, Allen  
County, Indiana, running in a straight southerly  
direction along said easement to a point just south  
of the northeast corner of Lot 141, said sewer being  
approximately 565.14 feet in length, servicing Lots  
134, 135, 136, 137, 138, 139, 140, 141, 142, 143,  
144, 145, 146, 147, and 148.,

the total cost of said sewer to be borne by Developer, all as  
more particularly set forth in said Agreement, which is on file  
in the office of the Board of Public Works, and is by reference  
incorporated herein and made part hereof, is hereby in all things  
ratified, confirmed and approved.

SECTION 2. That the Developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the water main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation to said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.



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APPROVED AS TO FORM  
AND LEGALITY



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CITY ATTORNEY

Read the first time in full and on motion by Nuckols seconded by  
Rousseau and duly adopted, read the second time by title and referred  
to the (Committee on) Public Works (and to the City Plan  
~~Commission for recommendation~~) (and ~~Public Hearing to be held after due legal notice,~~  
~~at the Council Chambers, City Hall, Fort Wayne, Indiana, on~~  
the \_\_\_\_\_ day of \_\_\_\_\_ 196\_\_\_\_, at \_\_\_\_\_ o'clock  
P.M., E.S.T.

Date: 10-13-70

Thad D. Bonachoon  
City Clerk

Read the third time in full and on motion by Fay  
seconded by Steigerwald and duly adopted, placed on its passage.

Passed (~~lost~~) by the following vote:

AYES	<u>8</u>	NAYS	<u>0</u>	ABSTAINED	____	ABSENT	<u>1</u>	to-wit:
Adams	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Dunifon	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Fay	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Geake	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Nuckols	<u>✓</u>	_____	_____	_____	_____	_____	<u>✓</u>	
Robinson	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Rousseau	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Steigerwald	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Tipton	<u>✓</u>	_____	_____	_____	_____	_____	_____	

Date 10-27-70

Thad D. Bonachoon  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
(Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. S-591-70

on the 27<sup>th</sup> day of October, 19670.

ATTEST: (SEAL)

Thad D. Bonachoon  
City Clerk

Herbert H. Tipton  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28<sup>th</sup> day  
of October, 19670 at the hour of 8:30 o'clock A.M., E.S.T.

Thad D. Bonachoon  
City Clerk

Approved and signed by me this 28<sup>th</sup> day of October, 1960,  
at the hour of 9:14 o'clock A.M., E.S.T.

Harold L. Zeis  
Mayor

Bill No. S-70-10-08

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance  
approving Sewer Agreement with NIEMEYER CORP. for construction of a Sanitary Sewer  
in Trier Ridge Park, Section III.

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

JOHN NUCKOLS, Chairman

CELIA ANN FAY, Vice-Chairman

THOMAS G. ADAMS

JACK K. DUNLON

EDWIN J. ROUSSEAU

Celia Ann Fay  
Thomas G. Adams  
Jack K. Dunlon  
Edwin J. Rousseau

CONCURRED IN

DATE 10-27-70 RUAD G. BONAHOOM, CITY CLERK